

SENATE BILL 1623

By Bailey

AN ACT to amend Chapter 130 of the Acts of 1907; as amended by Chapter 168 of the Private Acts of 1994; Chapter 58 of the Private Acts of 2001; Chapter 35 of the Private Acts of 2007; and Chapter 13 of the Private Acts of 2007; and any other acts amendatory thereto, relative to the town of Livingston.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Section 3 of Chapter 130 of the Private Acts of 1907, as amended by Chapter 13 of the Private Acts of 2007, and Chapter 35 of the Private Acts of 2007, and any other acts amendatory thereto, is amended by deleting the language "Board of Alderman" in subsection (b) and substituting the following language "Board of Aldermen, unless the Board delegates the authority to the Mayor to suspend or discharge employees by ordinance".

SECTION 2. Section 4 of Chapter 130 of the Private Acts of 1907, as amended by Chapter 168 of the Private Acts of 1994, and Chapter 58 of the Private Acts of 2001, and any other acts amendatory thereto, is amended by deleting the section and substituting the following:

SECTION 4. Be it further enacted, That no person shall be an Alderman unless he or she be a citizen of the State of Tennessee, a qualified voter, and for one year a bona fide resident in said town. Each Alderman before entering on the duties of his or her office, shall take an oath to faithfully demean himself or herself in office and discharge the duties thereof. Aldermen shall receive no compensation for their services as such. The Board of Aldermen shall have full power and authority to appoint and elect all officers, servants, and agents of the corporation as they deem necessary, and, within the restrictions of this Act, fix the pay and compensation of the same; and they shall have power, for sufficient cause, to dismiss and discharge any officer or agent they may appoint by a majority vote of the Aldermen. The Board may, by ordinance, delegate authority to hire, suspend and discharge town employees to the Mayor. All vacancies in

the Board of Mayor and Aldermen shall be filled for the unexpired term by a majority vote of the remaining Aldermen. Four Aldermen shall constitute a quorum to transact business, and Aldermen shall hold their office for four years, and until their successors are elected and qualified. Every Alderman guilty of malfeasance or misfeasance in office shall be subject to be charged and tried by the Board of Aldermen and fined or dismissed from his or her office as in their wisdom they may deem for the best, and on such trial the Mayor shall preside and have the casting vote, the concurrence of a majority being necessary to a verdict. Before entering on such trial each Alderman and the Mayor shall take an oath to faithfully and impartially try the accused and pass judgment.

SECTION 3. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the town of Livingston. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body and certified to the secretary of state.

SECTION 4. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 3.